

RECEIVED
CENTRAL FAX CENTER

APR 08 2005

PRITZKAU PATENT GROUP LLC

13337 Misty Street
Broomfield, CO 80020

Attorneys

Michael Pritzkau
Phone: 303-410-9254

Stephen Shear
Phone: 303-661-0901

Patents, Trademarks, Copyrights & Related Intellectual
Property Matters

Fax: 303-410-9258

Patent Agents

Jay Beyer
Phone: 303-499-3859

Yoriko Morita
Phone: 303-673-9993

FACSIMILE TRANSMITTAL SHEET

CONFIDENTIAL NOTE: The information contained on this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named below. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above (collect) and return the original message to the sender at the address above via the United States Postal Service. Thank you.

To Examiner Shawntina T. Fuqua
USPTO

From Jay Beyer
Pritzkau Patent Group

Number of Pages (including cover) 5

Date Sent April 8, 2005

Fax #: 703-872-9306

Message

Response to Office Action

Examiner Shawntina T. Fuqua,

Please enter the following documents into the file for application serial number 10/706,367. The following documents include:

Fax cover sheet	1 page
Response Transmittal (in duplicate)	2 pages
Response to Restriction Requirement	<u>2 pages</u>
Total Pages	5 pages

If there are any questions regarding this fax, please call Jay Beyer at 303-499-3859.

Sincerely,

Jay Beyer

RECEIVED
CENTRAL FAX CENTER

APR 08 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Daniel J. Devine, et al.

Serial No: 10/706,367

Filed: November 12, 2003

For: SHADOW-FREE SHUTTER ARRANGEMENT
AND METHOD

Examiner: Shawntina T. Fuqua

Art Unit: 3742

Attorney Docket: MAT-7

Date: April 8, 2005

CERTIFICATE OF ELECTRONIC TRANSFER: I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office on April 8, 2005.Signed: 
Jay R BeyerCommissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR: Transmitted herewith is a response for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established
☒ No additional fee is required.
☐ Postcard included

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	NON- SMALL ENTITY
	Claims Remaining	Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	* 89	Minus ** 89	0	x 9 \$	x 18 \$ 0
Indep. Claims	*14	Minus *** 14	0	x 43 \$	x 86 \$ 0
First Presentation of Multiple Dependent Claim(s)				+145 \$	+290 \$ 0
				Total \$	Total \$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to 37 C.F.R. § 1.136(a).

Please charge my Deposit Account No. 19-1685 (Order No. MAT-7) the amount of \$_____ to cover the additional claims fee. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1685 (Order No. MAT-7) (a duplicate copy of this sheet is enclosed):

☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
☒ Any extension or petition fees under 37 C.F.R. § 1.17.

Respectfully submitted,



Jay R Beyer

Registration No. 39,907

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Daniel J. Devine, et al.

Serial No: 10/706,367

Filed: November 12, 2003

For: SHADOW-FREE SHUTTER ARRANGEMENT
AND METHOD

Examiner: Shawntina T. Ruqua

Art Unit: 3742

Attorney Docket: MAT-7

Date: April 8, 2005

CERTIFICATE OF ELECTRONIC TRANSFER: I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office on April 8, 2005.

Signed: 
Jay R Beyer

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR: Transmitted herewith is a response for the above application.

☐ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established
☒ No additional fee is required.
☐ Postcard included

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		NON- SMALL ENTITY	
	Claims Remaining		Previously Paid For	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 89	Minus	** 89	x 9	\$	x 18	\$ 0
Indep. Claims	*14	Minus	*** 14	x 43	\$	x 86	\$ 0
First Presentation of Multiple Dependent Claim(s)				+145	\$	+290	\$ 0
* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3. ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.				Total	\$	Total	\$ 0

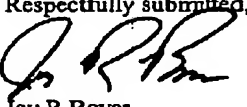
☐ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to 37 C.F.R. § 1.136(a).

☐ Please charge my Deposit Account No. 19-1685 (Order No. MAT-7) the amount of \$_____ to cover the additional claims fee. A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1685 (Order No. MAT-7) (a duplicate copy of this sheet is enclosed):

☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
☒ Any extension or petition fees under 37 C.F.R. § 1.17.

Respectfully submitted,


Jay R Beyer
Registration No. 39,907

RECEIVED
CENTRAL FAX CENTER

APR 08 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)	
)	
Daniel J. Devine, et al.)	Examiner: Shawntina T. Fuqua
)	
Serial No: 10/706,367)	Art Unit: 3742
)	
Filed: November 12, 2003)	Attorney Docket: MAT-7
)	
For: SHADOW-FREE SHUTTER ARRANGEMENT)	Date: April 8, 2005
AND METHOD)	

CERTIFICATE OF ELECTRONIC TRANSFER: I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office on April 8, 2005.

Signed: _____

Jay R Beyer

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following amendments and remarks are intended as a full and complete response to the outstanding Office Action dated (mailed) March 10, 2005.

MAT-7

1 of 2

USSN 10/706,367

REMARKS

The Examiner has restricted the claims with respect to species A-G as assertedly depicted by Figures 3, 14, 17, 20, 22a, 24 and 26, respectively. Applicants respectfully traverse.

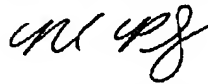
Based on a review of the figures, Applicants have allocated the claims among the various species in a way which is thought to be consistent with the figures, as follows.

SPECIES DESIGNATION	CLAIMS
A	1-5, 7-20, 22-24, 30, 39-43, 45-58, 60-62, 67, 71, 78-89
B	1-5, 7-10, 12, 16, 21-24, 30, 39-43, 45-48, 50, 54-59, 60-62, 67, 71, 78-89
C	1-5, 7-20, 22-24, 30, 39-43, 45-58, 60-62, 67, 71, 71, 80-89
D	1-6, 7-10, 12, 16, 22-25, 30-38, 39-43, 45-48, 50, 54, 60-63, 67, 69, 70-77, 80-89
E	1-3, 6, 22-24, 26, 28, 30, 31, 33-35, 39-41, 44, 60-62, 64, 66, 67, 69, 74-77, 80-89
F	1-3, 6, 22-24, 26-35, 39-41, 44, 60-62, 64-70, 74-77, 80-89
G	1-3, 4, 5, 7-20, 22-24, 30, 39-43, 45-58, 60-62, 67, 71, 78-89

Applicants hereby elect species A with traverse. Specifically, the Examiner asserts that none of the claims are generic. Applicants respectfully disagree and submit that claims 1-3, 22-24, 30, 39-41, 60-62, 67 and 78-89 are generic. Accordingly, it is submitted that allowance of any of these generic claims should additionally result in rejoining all species for examination.

If the Examiner has any questions concerning this case, the Examiner is respectfully requested to contact Mike Pritzkau at 303-410-9254.

Respectfully submitted,



Michael M. Pritzkau
Reg. No. 37,913